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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF: FOTLAND ET AL
SERIAL NO.: 09/299,388
FILED: APRIL 27, 1999
FOR: METHOD AND APPARATUS FOR PRODUCING...
GROUP: 1615
DOCKET: MICRODOSE 99.01

The Commissioner of Patents & Trademarks
Washington, D.C. 20231

PRIOR ART DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-identified application, Applicant hereby attaches U.S. Patent Office Form PTOL-1449, including copies of the prior art references listed therein. These references were cited in the International Search Report of the PCT Patent application. A copy of the International Search Report, is also enclosed. The claims in the present application are believed to be patentably distinguished over these references.

This prior art disclosure statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitute prior art or that it is the

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closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

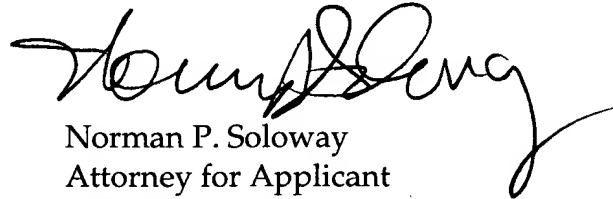
In compliance with the requirements of 37 C.F.R. §1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a translation of portions of an official action by a foreign examiner in which the reference was cited. The relevance to the pending U.S. patent application is that the reference was cited in a foreign patent application on the same subject matter. However, no independent analysis of the reference, the accuracy of the statement of the foreign examiner or the claims of the foreign application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted herewith.

Also enclosed for the convenience of the Patent Office is a copy of U.S. Patent 6,032,872 which is the U.S. counterpart to the German EP 0891817 cited in the search report.

The enclosed Prior Art Statement is being submitted within three months of the International Search Report, as certified in the attached Certification for Information Disclosure Statement. Therefore, we believe that there are no fees involved with this

prior art disclosure statement. However, in the event there are any fees payable, please charge them to our Deposit Account No. 08-1391.

Respectfully submitted,



Norman P. Soloway
Attorney for Applicant
Reg. No. 24,315

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on August 3, 2000 at Manchester, New Hampshire.

By: Kristine Stevens

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**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

Docket No.
MICRODOSE 99.01

In Re Application Of: **FOTLAND ET AL**

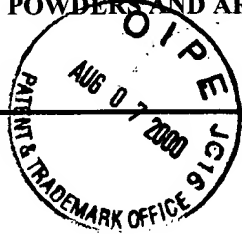
Serial No.
09/299,388

Filing Date
APRIL 27, 1999

Examiner

Group Art Unit
1615

Invention: **METHOD AND APPARATUS FOR PRODUCING UNIFORM SMALL PORTIONS OF FINE
POWDERS AND ARTICLES THEREOF**



TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.


Signature

**Norman P. Soloway
Hayes, Soloway, Hennessey, Grossman & Hage
175 Canal Street
Manchester, NH 03101**

Dated: **8/2/00**

I certify that this document is being deposited on
8/3/00 with the U.S. Postal Service as first
class mail under 37 C.F.R. 1.8 and is addressed to the
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Kristine Stevens
Typed or Printed Name of Person Mailing Correspondence

cc: